

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-6906

judiciary.house.gov

May 20, 2026

Mr. Bryan Fair
Interim CEO & President
Southern Poverty Law Center
c/o Mr. Abbe Lowell and Mr. David Kolansky
Lowell & Associates, PLLC
1250 H Street NW, Second Floor
Washington, DC 20005

Dear Mr. Fair:

The Committee is in receipt of your letter dated April 30, 2026, regarding our request for documents related to the Southern Poverty Law Center's (SPLC) use of members of extremist groups as "field sources" and close collaboration with the Biden-Harris Administration.¹ Your response failed to include a single responsive document and misrepresented both the timeline and purpose of the Committee's oversight. Accordingly, the Committee has invoked compulsory process to obtain the requested materials.

Despite failing to identify a specific privilege or other basis for noncompliance, your letter asserts that the Committee's inquiry is inappropriate because a grand jury recently returned an indictment against the SPLC.² This is both factually and legally flawed. First, the Committee did not "jump into the middle of a pending criminal proceeding, within days of an indictment," as your letter falsely claims.³ Rather, as noted in its initial letter, the Committee's request is part of ongoing oversight of the SPLC and federal civil rights policy, which predates the indictment.⁴ For instance, on November 25, 2025, the Committee requested documents from the Department of Justice concerning the Biden-Harris Administration's close coordination with the SPLC on federal civil rights matters.⁵ In December 2025, the Subcommittee on the Constitution and

¹ See Letter from Brian Fair, Interim CEO & President, S. Poverty L. Ctr., to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (April 30, 2026) [hereinafter "April 30 Letter"] (on file with Committee); see also Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Brian Fair, Interim CEO & President, S. Poverty L. Ctr., (Apr. 23, 2026), <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2026-04-23-jdj-to-splc-fair.pdf> [hereinafter "April 23 Letter"].

² See April 30 Letter, *supra* note 1.

³ April 30 Letter, *supra* note 1.

⁴ See April 23 Letter, *supra* note 1.

⁵ Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Pamela Bondi, Att'y Gen., U.S. Dep't of Just. (Nov. 25, 2025) (on file with Committee).

Limited Government held a hearing on the SPLC's influence on federal civil rights policy.⁶ To be clear, although the indictment disclosed new information relevant to the Committee's oversight,⁷ that oversight did not arise from the indictment, contrary to your suggestion.

Second, the existence of a criminal proceeding does not deprive Congress of its constitutional authority to conduct oversight as part of the legislative process.⁸ As the Supreme Court has made clear, "a congressional committee . . . engaged in a legitimate legislative investigation need not grind to a halt" in the face of an ongoing criminal case.⁹ Indeed, Congress has frequently sought and received information related to ongoing criminal investigations and prosecutions,¹⁰ and the Supreme Court has "approved multiple investigations in which Congress set out with the explicit purpose of examining criminal conduct, including at the same time as prosecutors."¹¹ In fact, an academic review of "more than a century of case law identified no appellate or Supreme Court ruling that Congress had engaged in an unconstitutional law enforcement function."¹²

The Committee's request to the SPLC clearly serves a legitimate legislative purpose—a fact your letter does not contest—because it concerns a subject "on which legislation could be had."¹³ In light of the SPLC's close coordination with the Biden-Harris Administration on civil rights matters,¹⁴ the Committee may consider legislative reforms addressing the ability of the Department of Justice to rely on non-governmental organizations in carrying out its law enforcement responsibilities.¹⁵

⁶ *Partisan and Profitable: The SPLC's Influence on Federal Civil Rights Policy: Hearing Before the Subcomm. on the Const. & Limited Gov't of the H. Comm. on the Judiciary*, 119th Cong. (2025).

⁷ See *Eastland v. U.S. Servicemen's Fund*, 421 U.S. 491, 509 (1975) ("The very nature of the investigative function—like any research—is that it takes the searchers up some 'blind alleys' and into nonproductive enterprises. To be a valid legislative inquiry, there need be no predictable end result.").

⁸ See, e.g., *Sinclair v. United States*, 279 U.S. 263, 295 (1929) (holding that Congress's authority "to require pertinent disclosures in aid of its own constitutional power is not abridged because the information sought to be elicited may also be of use" in a criminal prosecution).

⁹ *Hutcheson v. United States*, 369 U.S. 599, 618 (1962).

¹⁰ See JENNER & BLOCK ET AL., *WHEN CONGRESS COMES CALLING: A STUDY ON THE PRINCIPLES, PRACTICES, AND PRAGMATICS OF LEGISLATIVE INQUIRY 110-17* (2025) (listing numerous examples of Congress obtaining information related to an ongoing criminal investigation); *Obstruction of Justice: Does the Justice Department Have to Respond to Lawfully Issued and Valid Congressional Subpoenas*, *Hearing Before the H. Comm. on Oversight and Gov't Reform*, 112th Cong. (2011) (statement of Louis Fisher, Scholar in Residence, Const. Project) ("Congress has often obtained records related to ongoing criminal investigations.").

¹¹ David Rapallo, *Congress's Power to Investigate Crime*, 27 N.Y.U. J. LEGIS. & PUB. POL'Y 135, 139 (2024).

¹² *Id.*

¹³ *Trump v. Mazars USA, LLP*, 591 U.S. 848, 863 (2020) (quoting *Eastland v. U.S. Servicemen's Fund*, 421 U.S. 491, 506 (1975)).

¹⁴ See Press Release, Am. First Legal, *America First Legal Reveals Explosive Documents Exposing Biden Department Justice's Partnership and Coordinated Campaign with the Southern Poverty Law Center to Weaponize Civil Rights Enforcement* (Oct. 3, 2025), <https://aflegal.org/press-release/america-first-legal-reveals-explosive-documents-exposing-biden-department-of-justices-partnership-and-coordinated-campaign-with-the-southern-poverty-law-center-to-weaponize-civil-rights-enfor/>.

¹⁵ See *Mazars*, 591 U.S. at 862 ("Without information, Congress would be shooting in the dark, unable to legislate 'wisely or effectively.'" (quoting *McGrain v. Daugherty*, 273 U. S. 135, 175 (1927))).

Mr. Bryan Fair
May 20, 2026
Page 3

Finally, your letter refers to the presumption of innocence.¹⁶ Nothing in the Committee's correspondence with the SPLC reflects a determination regarding the merits of the allegations in the indictment. The Committee issued a narrow request for information necessary to carry out its legislative responsibilities. That SPLC is entitled to the presumption of innocence in a court of law, however, has no bearing on its obligation "to cooperate with the Congress in its efforts to obtain the facts needed for intelligent legislative action."¹⁷

The Supreme Court has recognized that Congress has a "broad and indispensable" power to conduct oversight, which "encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys in our social, economic or political system for the purpose of enabling Congress to remedy them."¹⁸ Pursuant to the Rules of the House of Representatives, the Committee on the Judiciary is authorized to conduct oversight of criminal justice matters and judicial proceedings.¹⁹

Accordingly, the Committee is initiating compulsory process to obtain the documents and material needed to fulfill its oversight and legislative obligations. Please find the enclosed subpoena compelling production of the requested documents by June 3, 2026.

Thank you for your attention to this matter.

Sincerely,



Jim Jordan
Chairman

cc: The Honorable Jamie Raskin, Ranking Member

Enclosure

¹⁶ See April 30 Letter, *supra* note 1.

¹⁷ *Watkins v. United States*, 354 U.S. 178, 187 (1957).

¹⁸ *Mazars*, 591 U.S. at 862 (internal quotation marks omitted).

¹⁹ Rules of the House of Representatives, 119th Cong., R. X (2026).